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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 SANTOS PETER MURILLO,

14 Defendant.

CASE NO. CR16-0113JLR

ORDER DENYING  
DEFENDANT'S MOTION FOR  
RECONSIDERATION

15 Before the court is Defendant Peter Santos Murillo's Motion for Reconsideration  
16 (Mot. (Dkt. # 166)) of the court's order denying his Motion for Sentence Reduction  
17 (Order (Dkt. # 165)). Motions for reconsideration are disfavored, and the court ordinarily  
18 denies such motions unless the moving party shows (a) manifest error in the prior ruling,  
19 or (b) new facts or legal authority which could not have been brought to the court's  
20 attention earlier through reasonable diligence. Local Rules W.D. Wash. LCR 7(h)(1).

21 The court has carefully reviewed Mr. Murillo's motion. It invokes the manifest  
22 error test claiming the central issue of the prior motion was how Mr. Murillo's "mental

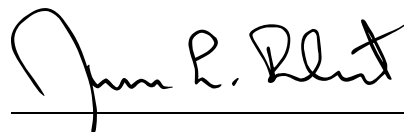
1 health condition would be impacted” by “actions taken by the Bureau of Prisons,” and  
2 the court “did not address this specific subject in its ruling.” (Mot. at 2.)

3 The court discussed Defendant’s mental conditions in its order but did not make a  
4 specific finding about how Defendant’s PTSD and depression might cause suicidal  
5 behavior. (*See* Order at 1.) The Defendant seizes on the court’s use of the term  
6 “Defendant’s susceptibility to COVID-19” in claiming manifest error. (Mot. at 2.)

7 The court clarifies its order to respond to Defendant’s allegation of manifest error.  
8 The court was fully aware of Defendant’s suicidal behaviors. Defendant has made it  
9 clear he doesn’t like being in prison with, or without, concerns about COVID-19. The  
10 court considered the impact on Defendant’s mental health of BOP’s actions including  
11 lockdowns, in response to COVID-19. Despite these considerations, the court’s  
12 judgment was, and is, that Defendant’s Motion (Dkt. # 139) should be denied.

13 Mr. Murillo makes neither of the required Local Rule LCR 7(h)(1) showings. (*See*  
14 *generally* Mot.) The court thus DENIES Mr. Murillo’s Motion for Reconsideration (Dkt.  
15 166).

16 Dated this 11th day of January, 2021.

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19 The Honorable James L. Robart  
20 U.S. District Court Judge  
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